



# **ORDINARY COUNCIL**

## **PUBLIC MINUTES**

**TUESDAY 24 JANUARY 2017 AT 1.01PM**

**Council Members >>**

The Mayor, Councillor Jenny Hill  
Councillor Russ Cook  
Councillor Verena Coombe  
Councillor Colleen Doyle  
Councillor Ann-Maree Greaney  
Councillor Paul Jacob  
Councillor Mark Molachino  
Councillor Kurt Rehbein  
Councillor Margie Ryder  
Councillor Maurie Soars  
Councillor Les Walker

At this meeting contributions made by members of the public may be recorded by way of audio recording which will be used for the purpose of developing minutes of the meeting and decision making of council. Townsville City Council is bound by the Information Privacy Act 2009 to protect the privacy of personal information.

Under Local Law 1 Section 35(3) a person must not make an audio or video recording of a local government meeting, a standing committee meeting, a special committee meeting or an advisory committee meeting unless the chairperson at the meeting gives consent in writing to the recording of the meeting.

Further information may be found on council's website at [www.townsville.qld.gov.au](http://www.townsville.qld.gov.au).

## Goals and Strategies of Townsville City Council >>

### Corporate Plan >>

---

**Goal 1:** Economic Sustainability - A strong diverse economy which provides opportunities for business and investment with an integrated approach to long term planning where the city's assets meet the community needs.

- 1.1 Create economic opportunities for Townsville to drive economic and community prosperity.
- 1.2 Maximise opportunities through engagement and partnership with stakeholder achieve a strong resilient economy.
- 1.3 Utilise the City Plan to inform the development of current and future infrastructure needs of Townsville.
- 1.4 Promote and market Townsville as a vibrant destination for commerce, entertainment and lifestyle.
- 1.5 Provide and maintain water and sewage infrastructure to ensure a functioning network.
- 1.6 Provide and maintain a leading practice integrated transport network to facilitate the sustainable growth and efficient movement of Townsville.

**Goal 2:** Environmental Sustainability - A sustainable future where our environment is valued through the protection and enhancement of our unique, natural and built environment with a commitment to reducing our environmental impact.

- 2.1 Effective management, protection and conservation of our environment to ensure a balance between built infrastructure and areas of environmental significance.
- 2.2 Implement an effective integrated demand management approach to infrastructure planning and delivery.
- 2.3 Preserve our natural environment through active management, education and compliance activities.
- 2.4 Adopt urban design principles that create a distinct sense of place, enables and informs place creation, maximises efficiency, and enhances the built and natural environment.
- 2.5 Research and implement environmental solutions utilising innovative smart technology and encourage behaviour change.

**Goal 3:** Social Sustainability - A vibrant community that is accessible, safe, healthy, creative and knowledgeable, where we embrace diversity and our sense of community.

- 3.1 Encourage active and healthy lifestyles through accessible public facilities and community initiatives.
- 3.2 Support the community's access to and participation in a range of artistic, cultural and entertainment activities.
- 3.3 Enhance wellbeing and safety in the community.
- 3.4 Enhance a knowledgeable, inclusive and connected community that embraces growth and lifelong learning.
- 3.5 Provide community infrastructure and services that support growth and meets community needs.

**Goal 4:** Responsible Governance - A well-managed, transparent and effective organisation that gives the community confidence, demonstrates financial sustainability, where our customers are satisfied with our services and our employees are proud to work here.

- 4.1 Undertake robust and accountable financial, resource and infrastructure planning and management to ensure affordable and sustainable outcomes for our community.
- 4.2 Deliver best value customer service to our community.
- 4.3 Enable innovation and technology capacity within council to drive organisational efficiencies.
- 4.4 Engage with the community to inform council decision making processes.
- 4.5 Provide inspirational leadership and contemporary management systems that drives a coordinated, motivated, highly effective and efficient organisation.
- 4.6 Commit to open transparent and accountable governance to ensure community confidence and trust in council.
- 4.7 Promote an organisational culture that values and empowers its workforce.

### ACKNOWLEDGEMENT OF COUNTRY

The Townsville City Council would like to acknowledge the Bindal and Wulgurukaba peoples as Traditional Owners of the land on which our Council operates. We pay respect to Elders past, present and future and value the traditions, culture and aspirations of the first Australians of this land. We acknowledge and hold in great significance the valuable contribution that Traditional Owners have made and continue to make within the Townsville Community.

# MINUTES

Page

## Officers Reports

### Infrastructure and Operations

- |   |  |      |
|---|--|------|
| 1 | Infrastructure and Operations - Townsville Local Disaster Management Group - Minutes of Members' Meeting 12 October 2016       | 9272 |
| 2 | Infrastructure and Operations - Townsville Local Disaster Management Group - Minutes of Full Committee Meeting 7 December 2016 | 9272 |
| 3 | Infrastructure and Operations - Townsville Local Disaster Management Group - Minutes of Full Committee Meeting 27 July 2016    | 9273 |
| 4 | Engineering Services - Permanent Road Closure - Part of McClelland Street, West End  | 9273 |

### Planning and Community Engagement

- |    |  |      |
|----|--|------|
| 5  | Planning and Community Engagement - Community Engagement - Australian Smart Cities and Infrastructure Summit - 16-17 March 2017  | 9274 |
| 6  | Planning and Community Engagement - Community Engagement - LGAQ 5th Local Government Financial Sustainability Summit Program - 29 - 30 March 2017                        | 9274 |
| 7  | Planning and Community Engagement - Community Engagement - Outstanding Grant Applications - Community Grants Program - September 2016                                    | 9275 |
| 8  | Planning and Community Engagement - Community Engagement - 2017 Australian Coastal Councils Conference - 3-5 May 2017  | 9276 |
| 9  | Planning and Community Engagement - Community Resources - Arts and Cultural Petition   | 9277 |
| 10 | Planning and Community Engagement - Planning - Markets Strategy  | 9278 |
| 11 | Planning and Community Engagement - Planning - Economic Development and Strategic Projects - Formation of Townsville City Council Innovation and Business Advisory Group | 9280 |
| 12 | Planning and Community Engagement - Planning - Townsville and North Queensland Pathfinder Project  | 9280 |
| 13 | Planning and Community Engagement - Planning - Resolution to proceed with a Local Government Infrastructure Plan   | 9281 |
| 14 | Planning and Community Engagement - Planning - Heritage and Urban Planning Unit - City Image Advisory Committee  | 9281 |
| 15 | Planning and Community Engagement - Planning - Townsville City Plan Amendment Package 2017/01  | 9282 |
| 16 | Planning and Community Engagement - Development Services - Material Change of Use (Impact) - MI16/0018 - Extractive Industry - Lot 41 SP271023                           | 9282 |

|    |   |      |
|----|---|------|
| 17 | Planning and Community Engagement - Development Services - Material Change of Use (Impact) MI15/0036 - Preliminary Approval under Section 242 of the Sustainable Planning Act 2009 to facilitate the Plan of Development for the Mater Hospital | 9291 |
|----|---|------|

**Business Services**

|    |  |      |
|----|--|------|
| 18 | Finance Services - Treasury Report - December 2016 | 9294 |
|----|--|------|

|    |   |      |
|----|---|------|
| 19 | Finance - Budget Variance Report - Whole of Council - December 2016 | 9295 |
|----|---|------|

**Confidential Items**

|    |   |      |
|----|---|------|
| 20 | Townsville Water and Waste - TCW00151 Supply and Construction of PS 7A to PS 7B Rising Main Duplication | 9296 |
|----|---|------|

|    |  |      |
|----|--|------|
| 21 | Townsville Water and Waste - Tender TCW00167 - Jensen Development Water Main | 9296 |
|----|--|------|

|    |  |      |
|----|--|------|
| 22 | Townsville Water and Waste - TCW00175 Supply and construction of Dommett St Water Main Replacement | 9297 |
|----|--|------|

|    |   |      |
|----|---|------|
| 23 | Engineering Services - TCW00190 - William Angliss Drive, Mervyn Crossman Intersection Upgrade | 9298 |
|----|---|------|

|    |   |      |
|----|---|------|
| 24 | Assets and Fleet - TCW00198 - Townsville Entertainment and Convention Centre - Supply and Installation of Replacement Curtain Winches | 9299 |
|----|---|------|

**General Business**

|     |   |      |
|-----|---|------|
| (i) | Local Government Advisory LGAQ Water Advisory Panel | 9300 |
|-----|---|------|

|                |  |
|----------------|--|
| <b>REPORT</b>  | <b>COUNCIL MEETING</b>   |
| <b>DATE</b>    | <b>Tuesday 24 January 2017 at 1.01pm</b>   |
| <b>ITEMS</b>   | <b>1 TO 24</b>   |
| <b>PRESENT</b> | The Mayor, Councillor J Hill<br>Councillor R Cook<br>Councillor V Coombe<br>Councillor C Doyle<br>Councillor A Greaney<br>Councillor P Jacob<br>Councillor M Molachino<br>Councillor K Rehbein<br>Councillor M Ryder<br>Councillor M Soars |

#### **Opening of Meeting and Announcement of Visitors**

The Chair, the Mayor, Councillor J Hill opened the meeting at 1.01pm.

#### **Acknowledgement of Country**

The Chair acknowledged the traditional owners of the land, the Wulgurukaba and the Bindal people, and paid respect to the elders past, present and future.

#### **Prayer**

Reverend Jeff Coop of the Anglican Church delivered the opening prayer.

#### **Apologies and Leave of Absence**

**It was MOVED by Councillor M Molachino, SECONDED by Councillor A Greaney:**

"that the apology from Councillor L Walker be received and that for the purposes of Section 162(1)(e) of the *Local Government Act 2009*, Councillor L Walker be granted leave of absence from this meeting."

**CARRIED UNANIMOUSLY**

#### **Confirmation of Minutes of Previous Meetings:**

**It was MOVED by Councillor V Coombe, SECONDED by Councillor M Soars:**

"that the minutes of the Ordinary Council meeting of 13 December 2016 be confirmed; and that the minutes of the Special Council meeting of 19 December 2016 be confirmed.

**CARRIED UNANIMOUSLY**

### **Disclosure of Interests - Council**

- (i) Material personal interest - Item 16 - Councillor M Ryder - Ross Kiernan of Kiernan Investments Pty Ltd is a client of Councillor Ryder's engineering company.
- (ii) Conflict of interest – Item 23 - The Mayor, Councillor J Hill, Councillors R Cook, V Coombe, C Doyle, A Greaney, P Jacob, M Molachino, K Rehbein, M Ryder and M Soars - BMD donated to the Team Jenny Hill election campaign.
- (iii) Material personal interest – Item 7 – Councillor M Ryder – Councillor Ryder's business manages the Townsville Running Festival.

### **Correspondence**

There was no correspondence.

### **Petitions**

There were no petitions.

### **Deputations**

- 1. Item 16 - George Milford, Milford Planning  
Daniel Goddard

### **Notices of Motion**

Nil.

### **Presentations**

There were no presentations.

### **Mayoral Minute**

There was no Mayoral Minute.

## Officers Reports

### Infrastructure and Operations

#### 1 Infrastructure and Operations - Townsville Local Disaster Management Group - Minutes of Members' Meeting 12 October 2016

##### Executive Summary

The Townsville Local Disaster Management Group (TLDMG) members meet five (5) times per year with representative staff from council, Queensland Fire and Emergency Services Area Coordinator – Emergency Management, State Emergency Service Local Controller, and other agencies. Attached are the minutes of the meeting held on 12 October 2016.

##### Officer's Recommendation

1. That council endorse the minutes of the Townsville Local Disaster Management Group Members' Meeting held on 12 October 2016, and
2. That council endorse the Townsville Local Disaster Management Group's approval of:
  - the revised Rollingsstone Disaster Management Group Operating Procedures,
  - the revised Magnetic Island Disaster Management Group Operating Procedures, and
  - the revised Local Disaster Recovery Plan.

##### Council Decision

It was **MOVED** by Councillor K Rehbein, **SECONDED** by Councillor R Cook:

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

#### 2 Infrastructure and Operations - Townsville Local Disaster Management Group - Minutes of Full Committee Meeting 7 December 2016

##### Executive Summary

The Townsville Local Disaster Management Group (TLDMG) Full Committee meets twice per year (usually July and December) with representative staff from the Townsville City Council, Queensland Fire and Emergency Services Area Coordinator – Emergency Management, State Emergency Service Local Controller and other agencies in attendance.

Attached are the minutes of the meeting held on 7 December 2016, as well as the revised Plans.

##### Officer's Recommendation

1. That council endorse the minutes of the Townsville Local Disaster Management Group Full Committee Meeting held on 7 December 2016, and
2. That council endorse the Townsville Local Disaster Management Group's approval of the revised Plans.

##### Council Decision

It was **MOVED** by Councillor K Rehbein, **SECONDED** by Councillor R Cook:

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**



### **3 Infrastructure and Operations - Townsville Local Disaster Management Group - Minutes of Full Committee Meeting 27 July 2016**

#### **Executive Summary**

The Townsville Local Disaster Management Group (TLDMG) Full Committee meets twice per year (usually July and December) with representatives of staff from council, Queensland Fire and Emergency Services Area Coordinator – Emergency Management, State Emergency Service Local Controller, and other agencies.

Attached are the minutes of the meeting held on 27 July 2016.

#### **Officer's Recommendation**

1. That council endorse the minutes of the Townsville Local Disaster Management Group Full Committee Meeting held on 27 July 2016, and
2. That council endorse the Townsville Local Disaster Management Group's acceptance of the Operation Cool Burn 2016 Bushfire Risk Mitigation Plan.

#### **Council Decision**

**It was MOVED by Councillor K Rehbein, SECONDED by Councillor R Cook:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

### **4 Engineering Services - Permanent Road Closure - Part of McClelland Street, West End**

#### **Executive Summary**

The Department of Natural Resources and Mines – State Land Asset Management Unit have requested, on behalf of an applicant, council to consider the permanent closure of a section of road reserve area of approximately 139m<sup>2</sup>, abutting Lot 1 on SP105273 (section of McClelland Road, West End).

This report outlines the investigation into the request and identifies the impact on adjacent land use, council assets and the road networks in the area.

#### **Officer's Recommendation**

That council advise the Department of Natural Resources and Mines – State Land Asset Management Unit that it offers no objection to the permanent closure and sale of the section of road reserve abutting Lot 1 on SP105273, subject to the following conditions:

- » That the newly created parcel of land not be created as a separate lot but rather is to be consolidated with the adjoining property; and
- » That a minimum clearance of 1.8metres is achieved between the new property boundary and the 75mm poly water main to allow for accessibility to carry out works or maintenance on the pipe.

#### **Council Decision**

**It was MOVED by Councillor M Molachino, SECONDED by Councillor V Coombe:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## **Planning and Community Engagement**

### **5 Planning and Community Engagement - Community Engagement - Australian Smart Cities and Infrastructure Summit - 16-17 March 2017**

#### **Executive Summary**

The Mayor has been invited to attend the Australian Smart Cities and Infrastructure Summit to be held in Sydney from 16-17 March 2017. The Mayor would participate/speak on Day Two on the "Local Council Panel: Role of digital in creating smart communities". The conference brings together key stakeholders from government and private sectors to discuss Australia's future in smart cities and infrastructure.

#### **Officer's Recommendation**

1. That council approve the attendance of the Mayor at the Australian Smart Cities and Infrastructure Summit to be held in Sydney from 16-17 March 2017.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the interested councillor/s from council to allow attendance at the Australian Smart Cities and Infrastructure Summit to be held in Sydney from 16-17 March 2017.

#### **Council Decision**

**It was MOVED by Councillor A Greaney, SECONDED by Councillor P Jacob:**

1. "that council approve the attendance of one Councillor at the Australian Smart Cities and Infrastructure Summit to be held in Sydney from 16-17 March 2017; and
2. that in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the interested Councillor from council to allow attendance at the Australian Smart Cities and Infrastructure Summit to be held in Sydney from 16-17 March 2017."

**CARRIED UNANIMOUSLY**

### **6 Planning and Community Engagement - Community Engagement - LGAQ 5th Local Government Financial Sustainability Summit Program - 29 - 30 March 2017**

#### **Executive Summary**

A Local Government Association of Queensland (LGAQ) event titled 5<sup>th</sup> Local Government Financial Sustainability Summit "Bridging the Divide" is to be held in Cairns from 29-30 March 2017. The Summit will explore the stresses between the cost of doing business and the ability to raise revenue. It will include executive and governance master classes on important financial management concepts and decision making tools.

#### **Officer's Recommendation**

1. That council approve the attendance of the Mayor and/or interested Councillors at the LGAQ's 5<sup>th</sup> Local Government Financial Sustainability Summit "Bridging the Divide" to be held in Cairns from 29-30 March 2017.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the Mayor and/or interested councillor/s from Council to allow attendance at the LGAQ's 5<sup>th</sup> Local Government Financial Sustainability Summit "Bridging the Divide" to be held in Cairns from 29-30 March 2017.

## Council Decision

It was **MOVED** by Councillor C Doyle, **SECONDED** by Councillor M Molachino:

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

In accordance with section 172 of the *Local Government Act 2009*, Councillor M Ryder declared a material personal interest in regards to item 7.

- (a) **the nature of the material personal interest as described by the Councillor:**  
Councillor Ryder's business manages the Townsville Running Festival.
- (b) **how the Councillor dealt with the material personal interest:**  
Councillor Ryder vacated the Chambers during discussion and voting on items 1 a) Townsville Running Festival; 1 b) Townsville Triathlon Festival and 1 c) Adventurethon Townsville only.

## 7 Planning and Community Engagement - Community Engagement - Outstanding Grant Applications - Community Grants Program - September 2016

### Executive Summary

Townsville City Council recognises the vital contribution that community organisations make to the social, economic, community and cultural wellbeing of the Townsville Community. The council provides community grants to support the creation, implementation and delivery of community initiatives that align with council's corporate priorities and that demonstrate a positive contribution to improving the wellbeing of the Townsville community.

The below four (4) grants applications were received through the September 2016 round of the Community Grants and Sponsorship Program. These four (4) grant applications were reviewed at the Financial Assistance and Events Group (FAEG) meeting held on Monday 24 October 2016.

These grant applications were considered at the November 2016 Ordinary Council meeting and at the request from the Mayor, a decision was made to hold over these grant applications for further discussion and review with the Chief Executive Officer.

This review informed the officer's recommendation below.

### Officer's Recommendation

1. That council approve the following four (4) community grant applications for a period of 12 months:
  - a) Townsville Running Festival;
  - b) Townsville Triathlon Festival;
  - c) Adventurethon Townsville; and
  - d) Great Barrier Reef Film Festival.

## Council Decision

It was **MOVED** by Councillor A Greaney, **SECONDED** by Councillor M Soars:

"that council approve the following three (3) community grant applications for a period of 12 months:

- a) Townsville Running Festival;
- b) Townsville Triathlon Festival;
- c) Adventurethon Townsville."

**CARRIED UNANIMOUSLY**

**It was MOVED by Councillor M Ryder, SECONDED by Councillor V Coombe:**

"that Item 1(d) Great Barrier Reef Film Festival, be referred back to the Chief Executive Officer and department for further consideration by staff and for a report to come back to council in regards to the amount of budget, the projected numbers for the event and council's return on investment."

**CARRIED UNANIMOUSLY**

**8 Planning and Community Engagement - Community Engagement - 2017 Australian Coastal Councils Conference - 3-5 May 2017**

**REPORT TO COUNCIL**

**Authorised by** Acting Director, Planning and Community Engagement  
**Prepared by** Acting General Manager  
**Section** Community Engagement  
**Date** 10 January 2017

**Executive Summary**

Council has been invited by written correspondence from the Mayor of Moreton Bay Regional Council to attend the 2017 Australian Coastal Councils Conference to be held in Redcliffe from 3-5 May 2017. The theme is *A Sustainable Future for Coastal Australia*. It is an opportunity for representatives from local government throughout Australia to share information on latest developments in coastal planning and management.

**Officer's Recommendation**

1. That council approve the attendance of the Mayor and/or interested councillor/s to attend the 2017 Australian Coastal Councils conference on 3-5 May 2017 in Redcliffe.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the interested councillor/s from council to allow attendance at the 2017 Australian Coastal Councils conference on 3-5 May 2017 in Redcliffe.

**Council Decision**

**It was MOVED by Councillor M Molachino, SECONDED by Councillor K Rehbein:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## **9 Planning and Community Engagement - Community Resources - Arts and Cultural Petition**

### **Executive Summary**

At its meeting of 22 November, 2016 Cr C Doyle tabled a petition requesting council give consideration to the Townsville Arts Community being consulted in relation to the future staffing and governance structure of the city's public arts and cultural institutions. Council resolved to refer the petition to the Chief Executive Officer for a report back to council.

This report responds to council's request and poses a response to petitioners detailing the actions council has taken to address the staffing and governance structure of its arts and cultural institutions.

### **Officer's Recommendation**

That council respond to the petition tabled at its meeting of 22 November, 2016 from the Townsville Arts Community requesting to have consultation and input as well as arts industry feedback into the future staffing and governance structure of the city's public arts and cultural institutions, by:

- Reiterating this council's stated policy support of the arts as evidenced by strong financial and in-kind support of many individuals, groups and organisations in the arts and culture community and that council is committed to a vibrant arts community which contributes greatly to the cultural identity of our city.
- Again stating that the arts and culture of Townsville is, in effect, a critical reflection and celebration of what our community is and closely tied to our reputation as an attractive and culturally dynamic city in which to live and work and a major drawcard for visitors to the area.
- Acknowledging the concerns and advice of the arts community and, having considered this input, making the operational decision to recruit and appoint a Creative Director to bring industry specific expertise to the programming and curatorial function of the gallery.
- Advising of council's longer term intention to consider governance models for its public arts and cultural institutions which will welcome continued engagement with the arts sector.

### **Council Decision**

**It was MOVED by Councillor C Doyle, SECONDED by Councillor V Coombe:**

1. "that the officer's recommendation be adopted; and
2. that council note, that council has recently recruited and appointed an Arts and Cultural Advisory Committee (ACAC). The purpose is to be a peak body of community representatives to provide information and advice about current and emerging art and culture related matters to Townsville City Council for the purpose of decision making and planning."

**CARRIED UNANIMOUSLY**

**REPORT TO COUNCIL**

**Authorised by** Director Planning and Community Engagement  
**Prepared by** Planning Officer  
**Department** Planning  
**Date** 20 October 2016

**Executive Summary**

Townsville loves markets. They offer an opportunity to revitalise public spaces, bolster the local economy, create jobs and give food producers, artisans and makers a place to showcase their wares and grow their business. They also provide a quality experience for residents and visitors; support retailers and promotes tourism in the city. Council currently has various agreements with organisations that operate markets on Council controlled land. Council does not currently have a framework for managing and facilitating markets in the city.

On the 24 May 2016, Council resolved to undertake a review of existing arrangements for the approval and operation of markets. The aim of the Townsville Markets Project was to review existing processes for the establishment of markets in Townsville and recommend a transparent process for approving, managing and facilitating markets in the city. Through the outcomes of community consultation, the project also sought to provide a clear vision and plan for Cotters Market, located in Townsville's city centre to support it in being a premier flagship event in Northern Australia that services the community, supports retailers and promotes tourism

Throughout the Markets Project, Council implemented a broad community engagement strategy to inform and engage with key stakeholders and the wider community about markets in the city. Council received 1,241 responses to the Townsville Markets Survey. As a result of the outcomes of the community and stakeholder consultation and a review of the existing arrangements for the approval and operation of markets, the recommended approach detailed in the Townsville Markets Project Investigation and Consultation Report, consists of three key policy areas:

- **Policy Area 1 – Framework for guiding the establishment and operation of markets in Townsville**

A review of existing arrangements for the approval and operation of markets identified the following needs:

- Council regulate markets via the Townsville City Plan (planning scheme) and via existing Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011.
- Council creates an improved customer service process for markets. The report recommends that Council have a single point of contact in Council for the customer. The key contact in Council would be responsible for tasking jobs/enquires to the specific areas with Council and for assessing and managing market licenses.
- Council revise the Schedule of Fees and Charges for Markets.

- **Policy Area 2 – White and Grey Cruise Ship Markets**

A review of existing arrangements for the facilitation of cruise ship markets identified the following recommendations:

- A consortium be established between Townsville Enterprise Limited (TEL), the Port of Townsville, Townsville City Council and the market operator of the Cotters Market. Townsville City Council would be responsible for managing the consortium and ensuring that the Cruise Ship Markets occur.

- An expression of interest to stall holders in the municipality be advertised based on the known schedule of cruise ships to encourage premier stall holders to attend the cruise ship markets.

- **Policy Area 3 – Cotters Market**

Through the outcomes of community consultation the report provides recommendations for the future of Cotters Market, including:

- Council advertise a tender for the opportunity to assist in the facilitation of the Cruise Ship Markets and the operation of Markets in Townsville's city centre to operate on Friday nights and/ or Sunday.

#### **Officer's Recommendation**

1. That council approve Policy Areas 1 to 3.
2. That council approve and endorse for public release the Townsville Markets Project Investigation and Consultation Report.
3. That council approve and endorse for public release the Townsville Markets Guide.
4. That council advertise a tender for the facilitation of the Cruise Ship Markets and the operation of Markets in Townsville's City Centre to occur on Friday nights and/ or Sunday.
5. That council approve the revised Schedule of Fees and Charges for Markets, as shown in Attachment B.

#### **Council Decision**

**It was MOVED by Councillor A Greaney, SECONDED by Councillor M Ryder:**

1. "that the officer's recommendations not be adopted;
- 2 that council endorses for public release the Townsville Markets Project Investigation and Consultation Report;
2. that council request the Chief Executive Officer to prepare a market information pack to guide people wishing to establish or conduct markets in Townsville; and
3. that council invites tenders for the management right to the Cotters Market and the Cruise Ship Markets."

**CARRIED UNANIMOUSLY**

**11 Planning and Community Engagement - Planning - Economic Development and Strategic Projects - Formation of Townsville City Council Innovation and Business Advisory Group**

**Executive Summary**

The Townsville City Council Innovation and Business Advisory Group has held their first meeting and discussed its membership. The terms of reference include that nominations for new members to the Townsville City Council Innovation and Business Advisory Group will be provided to the Council for approval prior to appointment.

**Officer's Recommendation**

That council endorse the appointment of Mr Danny McLoughlin as a member of the Townsville City Council Innovation and Business Advisory Group.

**Council Decision**

**It was MOVED by Councillor M Soars, SECONDED by Councillor V Coombe:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

**12 Planning and Community Engagement - Planning - Townsville and North Queensland Pathfinder Project**

**Executive Summary**

Under the Pathfinder Project, the Regional Australia Institute was engaged to develop economic action plans for both Townsville and North Queensland that would identify select lists of priority areas to boost economic growth.

As such, the North Queensland Pathfinder Action Plan has been completed and formerly adopted by the North Queensland Committee of Regional Economic Development – Regional Organisation of Councils (RED-ROC). The North Queensland Pathfinder report is presented for council's formal approval.

A Pathfinder Townsville report is also currently being completed. It will provide data, modelling and insights as context for further community engagement on Townsville's economic development and for continuing work under the Townsville City Deal.

**Officer's Recommendation**

That council endorse participation in the enclosed North Queensland Pathfinder Action Plan including ongoing leadership roles in the priority areas of: Asia Gateway Expansion; More Entrepreneurs and Lifting Workforce Skills.

**Council Decision**

**It was MOVED by the Mayor, Councillor J Hill, SECONDED by Councillor M Molachino:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**



### **13 Planning and Community Engagement - Planning - Resolution to proceed with a Local Government Infrastructure Plan**

#### **Executive Summary**

Public consultation submissions about the draft Local Government Infrastructure Plan (LGIP) have been received and are now ready for consideration by council. A resolution from council is now required to proceed with the draft LGIP, to the second round of compliance checks and be prepared for adoption by the statutory deadline of 1 August 2017.

Key modifications include:

- Rocky Springs start date brought forward from 2025/26 to 2016/17, and be included in the priority infrastructure area (PIA), subject to an agreement being finalised;
- Mt Low Developments' 2016/17 start date should be postponed to 2018/19;
- The PIA for the Harris Crossing Development to allow should reflect the approved footprint of that estate; and
- Trunk park land, and improved pathways planning should be sought at the Harris Crossing Development.

#### **Officer's Recommendation**

That council, pursuant to section 117 of the *Sustainable Planning Act 2009*, consider the public consultation submissions made in relation to the draft Local Government Infrastructure Plan (LGIP), and resolve to proceed with modifications as recommended in this report.

#### **Council Decision**

**It was MOVED by Councillor M Soars, SECONDED by Councillor K Rehbein:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

### **14 Planning and Community Engagement - Planning - Heritage and Urban Planning Unit - City Image Advisory Committee**

#### **Executive Summary**

The Townsville City Council City Image Advisory Committee (CIAC) is to be established in accordance with the council resolution of 26 July 2016. In line with the Terms of Reference, council has specific membership along with organisational nominated representatives and business and community members. Following an advertised call for nominations, a selection panel assessed and recommended the following.

#### **Officer's Recommendation**

That council approve the membership of the Townsville City Council City Image Advisory Committee as follows:

1. Mayor Jenny Hill (Chair);
2. Cr Ann-Maree Greaney – Councillor Division 3;
3. Director – TCC Planning and Community Engagement;
4. Bridget Hart – Aspect 8
5. Ken Tippett – Ken Tippett Design;
6. Lucy Downes – CBD Retailer;
7. Zammi Rohan – 9point9 Architects;
8. David Stefanovic – Australian Institute of Architects;
9. Crista Harrison – Stockland Commercial Property;
10. Michael Baker – Marketing Garage; and
11. Steve Price – 4TO.

## Council Decision

It was **MOVED** by Councillor A Greaney, **SECONDED** by Councillor C Doyle:

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## 15 Planning and Community Engagement - Planning - Townsville City Plan Amendment Package 2017/01

### Executive Summary

This report proposes Minor Amendment 2017/01 to the Townsville City Plan, in keeping with the ongoing maintenance of the planning scheme to reflect modern standards and practices.

Minor Amendment 2017/01 proposes the updating of mapping relating to the Australian noise exposure forecast (ANEF) contours associated with the Townville Airport (Development constraints airport environs overlay map OM-1.4), in direct response to updated State Planning Policy mapping.

### Officer's Recommendation

That, pursuant to section 117(1), Part 5, Chapter 3 of the *Sustainable Planning Act 2009*, council resolve to make, prepare and adopt the proposed Minor Amendment 2017/01 to the Townsville City Plan in accordance with this report.

## Council Decision

It was **MOVED** by Councillor M Molachino, **SECONDED** by Councillor A Greaney:

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

**In accordance with section 172 of the *Local Government Act 2009*, Councillor M Ryder declared a material personal interest in regards to item 16.**

- (a) the nature of the material personal interest as described by the Councillor:**  
Ross Kiernan of Kiernan Investment is a client of Councillor Ryder's engineering company.
- (b) how the Councillor dealt with the material personal interest:**  
Councillor Ryder vacated the chambers during discussion and voting on the item.

## 16 Planning and Community Engagement - Development Services - Material Change of Use (Impact) - MI16/0018 - Extractive Industry - Lot 41 SP271023

### Executive Summary

The proposed development application is for an Extractive Industry for hard rock extraction including blasting operations on land located a 36 Curley Circuit, Roseneath. The proposed development is Impact Assessable and received 8 submissions from the public during the notification period. The proposed development has the potential to impact on surrounding land uses, including existing residential properties. The development will be located next to an existing Extractive Industry of similar operations, however this development will move closer to sensitive land uses.

The majority of adverse impacts can be minimised through appropriate conditioning, particularly around managing operating hours, implementing dust control measures, restricting blasting operations and rehabilitating the site upon completion of the extraction operations.

While the proposal has the potential for some adverse impacts on surrounding residents and business it generally complies with the intent of the Planning Scheme, and is therefore recommended for approval subject to reasonable and relevant conditions.

The blasting activities required for the development have already been approved by the State Government.

Council also considered the verbal comments of George Milford, Milford Planning and Daniel Goddard provided at the meeting.

**Officer's Recommendation**

That council approve application M16/0018 for a development permit for Extractive Industry under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 41 SP 271023, more particularly 36 Curley Circuit, Roseneath, subject to the following conditions -

**1. Approved Plans and Supporting Documentation**

**Condition**

- a) The development must generally comply with the plan(s) and supporting documentation referenced in the table below and attached as stamped "Approved Subject to Conditions" which forms part of this approval, unless otherwise specified by any condition of this approval.

| Plan Name  | Plan No.  | Dated        |
|--|-----------|--------------|
| 36 Curley Circuit, Roseneath – Proposed Quarry over North Western Corner of Lot 41 on SP271023 | 43578/01A | 30 June 2016 |
| <b>Associated Reports</b>  |           |              |
| Environmental Assessment Report – Lot 41 on SP271023 – Dated 29 June 2016                      |           |              |

- b) One full set of the most up to date approved plans and supporting documentation must be held on site and available for inspection for the duration of the construction phase.
- c) The developer must implement the recommendations outlined in the above reports/s prior to the commencement of the use.

**Reason**

The development must comply with all planning scheme requirements and definitions as approved and conditioned by this development permit.

**Timing**

During the operation and life of the development.

**2. Property Numbering**

**Condition**

Legible property numbers must be erected at the premises and must be maintained.

The site identification numbers should be of reflective material. Maintained free from foliage and other obstructions, and be large enough to be read from the street.

**Reason**

To allow the general public, service and emergency service providers to effectively identify the property.

**Timing**

Prior to the commencement of the use and maintained for the life of the development.

### 3. Site Based Environmental Management Plan / Rehabilitation Plan

#### Condition

A site based environmental management plan (including site rehabilitation plans) must be prepared and submitted to Council. The site based environmental management plan must include the mitigation measures outlined in the Environmental Assessment report identified in Condition 1. The management plan must include the following components;

- a) Description of works;
- b) Potential environmental impacts;
- c) Planned management of the potential impacts;
- d) Roles and responsibilities;
- e) Site rehabilitation plans; and
- f) Impact response and emergency procedures

#### Reason

To ensure the development does not have a detrimental effect on the environment and amenity of the surrounding land in accordance with relevant code/s and policy direction.

#### Timing

Assessed as part of Compliance assessment and to be maintained for the life of the development.

### 4. Property Pest Management Plan

#### Condition

A property pest management plan must be prepared and submitted to Council. The property pest management plan must demonstrate how the development will meet their general biosecurity obligations under the *Biosecurity Act 2014*, particularly in relation to the biosecurity risks that are under their control, including the control of Siam Weed. Possible control measures may include the construction of an appropriate vehicle wash down bay, the stockpiling of topsoils, clearing at appropriate times and the ongoing control of weeds.

#### Reason

To ensure that all declared plans (restricted matters under the *Biosecurity Act 2014*) are management appropriately.

#### Timing

Assessed as part of Compliance assessment and to be maintained for the life of the development.

### 5. Watercourse Buffer

#### Condition

A buffer of at least 25m from the high or outer bank of Stoney Creek in the project area must be maintained, with the exception of the cleared access route and existing maintenance tracks.

#### Reason

To ensure the development does not have a detrimental effect on the environment in accordance with relevant code/s and policy direction.

#### Timing

During the operation and life of the development

### 6. Limitation of Use

#### Condition

Within any 12 month period from the commencement of use, no more than 250,000 tonnes of material is to be extracted from the site.

**Reason**

To ensure the development does not have a detrimental effect on the amenity of the surrounding land in accordance with relevant code/s and policy direction.

**Timing**

During the operation and life of the development.

**7. Blasting****Condition**

All blasting activities must be limited to the following parameters;

- |                            |   |
|----------------------------|---|
| a) Maximum Quantity        | 20,000 BCM (50,000t)  |
| b) Maximum Blast Frequency | 3 Blast / Week  |
| c) Blasting Timing         | Blasting operations are to be limited to the following times;<br>9am – 3pm Monday to Friday<br>9am – 1pm Saturday |

**Reason**

To minimise the detrimental effect on the amenity of the surrounding land in accordance with relevant code/s and policy direction.

**Timing**

During the operation and life of the development

**8. Bushfire Management Plan****Condition**

The developer must prepare a Bushfire Management Plan in accordance with the Queensland Fire and Rescue Standards and Council standards for approval.

**Reason**

To protect development from bushfire hazards in accordance with relevant code/s and policy direction.

**Timing**

Assessed as part of Compliance assessment and to be maintained for the life of the development.

**9. Relocation of Services or Facilities****Condition**

The developer must be responsible for any relocation and/or alteration to any public service or facility installation required as a result of any works carried out in connection with this development at no cost to Council.

**Reason**

To ensure development is appropriately serviced by public services and/or in accordance with relevant code/s and policy direction.

**Timing**

Prior to the commencement of the use.

## 10. Storage

### Condition

Goods, equipment, packaging material or machinery must not be stored or left exposed so as to be visible from any public road or thoroughfare. Any storage on site is required to be screened from view from all roads and adjacent properties.

### Reason

To ensure the development does not have a detrimental effect on the visual amenity of the surrounding land in accordance with relevant code/s and policy direction.

### Timing

At all times following the commencement of the use.

## 11. Fire Fighting

### Condition

The development is to be provided with an adequate and accessible supply of water for firefighting purposes.

### Reason

In accordance with Part 8.2.2 Bushfire hazard overlay code of the Townsville City Plan.

### Timing

Prior to commencement of the use and to be maintained for the life of the development.

## 12. Sewerage Reticulation

### Condition

All structures on site that require sewerage reticulation must connect to Council's reticulated sewer system.

### Reason

To ensure that the premises are appropriately serviced by Council infrastructure where located in a service area for a sewerage service in accordance with relevant code/s and policy direction

### Timing

Technical details to be submitted to council as part of an application for Compliance Assessment

## 13. Water Supply

### Condition

If required the development must connect to Council's reticulated water system.

### Reason

To ensure that the premises is appropriately serviced by reticulated water supply infrastructure in accordance with relevant code/s and policy direction.

### Timing

Technical details to be submitted to council as part of an application for Compliance Assessment.

#### 14. Stormwater Drainage

##### Condition

An appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) must certify that stormwater drainage achieves the outcomes in accordance with Part 9.4.2 Healthy Waters Code of the Townsville City Plan. In addition, the proposed detention basin must cater for the peak 1% AEP rain event and must be free draining.

##### Reason

To convey stormwater legally and in an environmentally responsible manner in accordance with Part 9.4.2 Healthy waters code of the Townsville City Plan.

##### Timing

To be submitted to council as part of an application for Compliance Assessment and to be maintained for the life of the development.

#### 15. Stormwater Quality Management

##### Condition

A revised stormwater quality management plan (SQMP) must be prepared by a suitably qualified person in accordance with Part 9.4.2 Healthy Waters Code of the Townsville City Plan. The plan must detail the following;

- The overall drainage system and invert levels etc clearly demonstrating the proposed clear-water diversions around the site are capable of being constructed and are adequate in size;
- Hydraulic modelling to illustrate the impact of the clear-water diversions on flooding. This would need to consider flows within Stoney Creek and use dynamic hydrology to adequately assess timing impacts;
- The sediment basin design with all supporting data and evidence, such as grain size distributions of the likely sediment;
- That the basin is capable of having a spillway capable of conveying the 1 in 50 year ARI flows from the catchment;
- Water balance modelling demonstrating that the design storage allowance can be contained; and
- The new clear-water drains, particularly with respect to their connection to Stoney Creek, and how these connections will be adequately stabilised.

The SQMP must be implemented in accordance with the guideline and incorporate any further reasonable requests from council. All works must be carried out in accordance with SC6.4 Development manual planning scheme policy of the Townsville City Plan.

##### Reason

To manage and to minimise the risk of causing environmental harm to receiving waters, damage to council infrastructure, and unnecessary financial burdens to council and the community in accordance with relevant code/s and policy direction.

##### Timing

To be submitted to council as part of an application for Compliance Assessment and maintained for the life of the development.

#### 16. Roadworks and Traffic

##### Condition

- a. Any damage to the kerb and channelling must be reconstructed/repared for the full frontage of the site in accordance with Part 9.4.6 Transport impact, access and parking code of the Townsville City Plan.
- b. During the construction phase, any damages to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with Council's standards.

- c. The access handle must be sealed for its entire length from the crossover located in the Curley Circuit road reserve to the 'developable area' located west of the ephemeral watercourse.
- d. The watercourse crossing/structure must be constructed at grade and must ensure that any afflux created is contained to the development site's property boundary.
- e. The developer must provide a Pavement Impact Assessment. The Pavement Impact Assessment must quantify the impacts to the pavement the proposed development will have on the local road network. The Pavement Impact Assessment must be undertaken by an appropriately qualified and experienced Registered engineer (RPEQ).

**Reason**

To provide development with access in accordance with council standards.

**Timing**

To be submitted to council as part of an application for Compliance Assessment.

**17. Car Parking**

**Condition**

- a) All car parking facilities, associated ramps and driveways must be provided in accordance with Part 9.4.6 Transport impact, access and parking code and designed in accordance with SC6.4 Development manual planning scheme policy specifically SC6.4.3.5 Car parking and public transport facilities guidelines of the Townsville City Plan and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890. All car parking facilities must be maintained to a safe operating standard at all times thereafter.
- b) The number of car parking spaces is to be determined during compliance assessment. Car spaces including disabled parking must be provided on site in accordance with the planning scheme policy of the Townsville City Plan.

**Reason**

To ensure development is appropriately serviced by parking and access facilities in accordance with relevant code/s and policy direction.

**Timing**

To be submitted to council as part of an application for Compliance Assessment and maintained for the life of the development.

**18. Soil Erosion Minimisation, Sediment Control**

**Condition**

Erosion and sediment control management must be installed and maintained in accordance with Part 9.4.2 Healthy Waters Code of the Townsville City Plan.

Note: The contingent design, implementation and maintenance of measures must be provided in accordance with SC6.4 Development manual planning scheme policy specifically SC6.4.3.8.6 MUSIC modelling requirements of the Townsville City Plan.

**Reason**

Development ensures that the receiving waters during construction are managed from the effects of increased sediment run-off in accordance with relevant code/s and policy direction.

**Timing**

At all times following the commencement of the use.



## 19. Dust Management

### Condition

A Dust Management Plan must be submitted to Council for approval.

### Reason

To ensure that the use does not cause a dust nuisance to nearby sensitive receptors in accordance with the Queensland Environmental Protection Act 1994 Section 440.

### Timing

To be submitted to Council as part of an application for Compliance Assessment.

## 20. Electricity and Telecommunication

### Condition

Electricity and telecommunications if required must be provided in accordance with Part 9.4.7 Works code of the Townsville City Plan.

### Reason

To provide an appropriate level of electricity and telecommunication services for the development in accordance with relevant code/s and policy direction.

### Timing

Prior to the development achieving on maintenance or final completion. Where electricity or telecommunication services have not been provided, confirmation from the relevant regulatory authority must be submitted to council indicating that appropriate arrangements have been made for the provision of the infrastructure to allow the development to achieve on maintenance or prior to commencement of use.

## 21. Hours of Operation

### Condition

Unless otherwise approved by Council, the activities associated with the use must only be conducted between 7:00am and 6pm Monday to Friday and 8 am to 1 pm on Saturdays.

**The use is not to operate on Sundays or Public Holidays.**

### Reason

To ensure the development does not have a detrimental effect on the amenity of the surrounding land in accordance with relevant code/s and policy direction.

### Timing

At all times following the commencement of the use.

## 22. Vegetation Disposal

### Condition

The disposal of vegetation must be carried out in accordance with Part 9.4.7 Works code of the Townsville City Plan.

### Reason

Vegetation to be disposed of in an environmentally responsible manner in accordance with SC6.4 Development manual planning scheme policy - SC6.4.5 Construction management and SC6.4.6.11 Clearing and grubbing of the Townsville City Plan.

### Timing

Prior to, or during construction of the development.

## 23. Refuse Facilities

### Condition

Refuse collection arrangements must be provided by the developer so as to achieve the requirements of the Works Code and in particular:

- a) The minimum overhead clearance required for refuse collection is 6500mm. Access for the collection of bulk bins is not to be impeded by any overhead obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.
- b) Access roads and driveways must be designed and constructed to accept vehicle loadings of not less than G.V.M 33 tonnes.

### Reason

Ensure protection of matters of public health and amenity in accordance with relevant code/s and policy direction.

### Timing

Prior to commencement of the use and to be maintained for the life of the development.

## 24. Noise Management

### Condition

A Noise Management Plan must be submitted to Council for approval.

### Reason

To ensure that the use does not cause a noise nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby noise sources in accordance with the *Queensland Environmental Protection Act 1994* Section 440.

### Timing

To be submitted to Council as part of an application for Compliance Assessment

## Council Decision

It was **MOVED** by Councillor M Molachino, **SECONDED** by Councillor V Coombe:

"that the officer's recommendation be adopted."

**CARRIED**

*In accordance with council's Meeting Procedures Policy where council does not unanimously support an Officer's Recommendation or an alternative resolution Councillors are to have recorded their reasons for doing so.*

| <b>For</b>                          | <b>Against</b>            |
|-------------------------------------|---------------------------|
| <i>The Mayor, Councillor J Hill</i> | <i>Councillor P Jacob</i> |
| <i>Councillor R Cook</i>            |                           |
| <i>Councillor V Coombe</i>          |                           |
| <i>Councillor C Doyle</i>           |                           |
| <i>Councillor A Greaney</i>         |                           |
| <i>Councillor M Molachino</i>       |                           |
| <i>Councillor K Rehbein</i>         |                           |
| <i>Councillor M Ryder</i>           |                           |
| <i>Councillor M Soars</i>           |                           |

### **Reasons Against**

*Councillor Jacob voted against the recommendation as he feels that it adds to the risk of residents and future residents that may want to build on their land.*

## 17 Planning and Community Engagement - Development Services - Material Change of Use (Impact) MI15/0036 - Preliminary Approval under Section 242 of the Sustainable Planning Act 2009 to facilitate the Plan of Development for the Mater Hospital

### Executive Summary

Mater Health Services proposed to further develop the private hospital under a Master Plan and Plan of Development to expand and improve the services to the Townsville Community. The Master Plan is proposed to be developed in four stages over a 30 year period.

The application seeks council approval for a Preliminary Approval for a Material Change of Use (Impact) to affect the Planning Scheme in accordance with section 242 of the *Sustainable Planning Act 2009* to facilitate use rights in accordance with a Plan of Development over land at 25 Fulham Road, Pimlico.

The application was referred to the State as a concurrence agency, as required by the *Sustainable Planning Regulation 2009*. The concurrence agency response has no objection to the approval, subject to conditions.

The applicant underwent public notification in accordance with the *Sustainable Planning Act 2009* and one (1) submission was received. The submission raised concerns regarding the proposed height of the development in comparison to the surrounding residential area, the general increase in size of the hospital and that it is no longer suited to an inner city suburb, increase in traffic movements and noise pollution. These concerns have been reviewed as part of the assessment of the application, with further information found within the report.

An assessment of the proposal has been undertaken against the relevant provisions of the *Sustainable Planning Act 2009* and Townsville City Plan. It is considered that the proposal is consistent with the Strategic Framework of the Townsville City Plan and represents a suitable land use outcome for the site.

As such, the proposed development over the subject land at 25 Fulham Road, Pimlico, is recommended for approval.

### Officer's Recommendation

That council **approve** application MI15/0036 for a Preliminary Approval under Section 242 of the Sustainable Planning Act 2009 to facilitate the Plan of Development for the Mater Hospital under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 32 RP 703502, Lot 17 RP 703502, Part Lot 1 SP 28657, Part Lot 1 SP 286571, more particularly 25 Fulham Road PIMLICO QLD 4812 subject to the following conditions -

#### 1. Variation of the effect of the Local Planning Instrument

##### Condition

Development pertaining to this Mater Hospital Pimlico Development Plan, approved by the Preliminary Approval, varies the effect of the Townsville City Plan 2014 (and subsequent local planning instruments) –

- providing the level of assessment for development at 25 Fulham Road, Pimlico. Section 5.3 Level of Assessment of the Plan of Development sets out the levels of assessment for development. This table of assessment prevails over the levels of assessment specified in Townsville City Plan (2014);
- assessment criteria for development at 25 Fulham Road, Pimlico. Appendix 2 of the Mater Hospital Pimlico Development Plan includes the Mater Hospital Pimlico Development Code which prevails over the relevant zone code of the Townsville City Plan (2014).

Subsequent Development Applications over the land subject to this approval must be lodged and assessed in accordance with the Mater Hospital Pimlico Development Plan, Revision 1, dated October 2016.

**Reason**

The Preliminary Approval varies the effect of the Local Planning Instrument, and gives effect to the Mater Hospital Pimlico Development Plan for subsequent applications for Development Permit over the subject land.

**Timing**

A subsequent development application must be received by Council within 4 years of the date of the approval taking effect or any longer period (or indefinitely) as determined by the *Sustainable Planning Act 2009* (or other relevant legislation).

**2. Approved Plans and Supporting Documentation****Condition**

- a) The development must generally comply with the plan(s) and supporting documentation referenced in the table below and attached as stamped "Approved Subject to Conditions" which forms part of this approval, unless otherwise specified by any condition of this approval.

| Plan Name   | Plan No.       | Revision No. | Revision Date |
|---|----------------|--------------|---------------|
| Stage 1 – Level 3   | SD-A-03-01     | 4            | 15/04/2016    |
| Stage 2 Plan – Roof Level   | SD-A-03-02     | 5            | 15/04/2016    |
| Stage 3 Plan – Roof Level   | SD-A-03-03     | 4            | 15/04/2016    |
| Stage 3 Landscape   | SD-A-03-04     | 3            | 10/12/2015    |
| Stage 4A Plan – Roof Level  | SD-A-03-05     | 5            | 07/10/2016    |
| Stage 4B Plan – Roof Level  | SD-A-03-06     | 5            | 07/10/2016    |
| Stage 1A Level 1 – Built on Lothair Street  | SD-A-03-08     | 2            | 16/05/2016    |
| West Elevation  | SD-A-04-01     | 3            | 10/12/2015    |
| South Elevation   | SD-A-04-02     | 5            | 27/04/2016    |
| East Elevation (Park Street)  | SD-A-04-03     | 3            | 10/12/2016    |
| North Elevation   | SD-A-04-04     | 3            | 10/12/2015    |
| 3D Render North West  | SD-A-08-01     | 3            | 10/12/2015    |
| 3D Render North East  | SD-A-08-02     | 3            | 10/12/2015    |
| 3D Render South West  | SD-A-08-03     | 3            | 10/12/2015    |
| 3D Render South East  | SD-A-08-04     | 4            | 10/12/2015    |
| Axonometric Views – Stage 1   | SD-A-08-05     | 3            | 10/12/2015    |
| Axonometric Views – Stage 2 and 3   | SD-A-08-06     | 4            | 10/12/2015    |
| Axonometric Views – Stage 4A and 4B   | SD-A-08-07     | 3            | 10/12/2015    |
| Lothair Street – Layout Plan  | MAT-0004-SKC02 | 1            | 02/09/2016    |
| Lothair Street – Turnpath Plans   | MAT-0004-SKC03 | 1            | 02/09/2016    |
| Locality Plan   | SD-A-01-02     | 1            | 08/04/2016    |
| NOTE: These plans are for concept purposes only and may slightly vary. Further details are to be provided with each subsequent application. |                |              |               |

**Associated Reports**

| Report Name                            | Report No.  | Revision No. | Revision Date    |
|--|-------------|--------------|------------------|
| Engineering Services Assessment Report | MAT0003/R01 | B            | 22 April 2016    |
| Traffic Operation Assessment           | MAT0001/R01 | B            | 15 April 2016    |
| Noise Impact Assessment                | 7665R01V01  |              | 26 November 2015 |
| Public and Active Transport Plan       | MAT0001/R03 | B            | 7 April 2016     |

- b) The recommendations outlined in the above reports must be included as part of any subsequent development applications, unless otherwise agreed by Council.

**Reason**

The development must comply with all planning scheme requirements and definitions as approved and conditioned by this development permit.

**Timing**

For all future development applications for Development Permits.

**3. Construction Traffic and Parking Arrangements**

**Condition**

A Construction Traffic and Parking Management Plan must be provided with each subsequent application, detailing the temporary traffic and parking arrangements for contractors, hospital staff, visitors and patients, relevant to each stage of the development.

**Reason**

To ensure the traffic and parking is appropriately managed during and minimise the impact on the surrounding residential area and traffic network.

**Timing**

To be submitted with each subsequent Material Change of Use application.

**4. Street Enhancements**

**Condition**

Details of the street enhancements along the Fulham Road frontage in accordance with Part 9.4.3 Landscape code must be provided in accordance with the Townsville City Plan.

Works are to be completed prior to the commencement of the use of Stage 1, or as otherwise approved by council.

**Reason**

To achieve the desired streetscape character of the location in accordance with relevant code/s and policy direction.

**Timing**

To be submitted to council as part of an application for Compliance Assessment and maintained for the life of the development.

**5. Water**

**Condition**

The Engineering Services Assessment Report must be amended to clearly articulate the EP's being generated (at both the stage by stage scenario and overall). The reporting must clearly break down the calculations (e.g. how many beds / GFA etc). In addition, the development must be serviced by two water connections. Both connections must be able to meet peak fire flows.

**Reason**

In accordance with Performance Outcome 1 of the Works Code.

**Timing**

The amended report is to be provided with the first subsequent development application

## 6. Sewer

### Condition

- a) The Engineering Services Assessment Report must be amended to clearly articulate the EP's being generated (at both the stage by stage scenario and overall). The reporting must clearly break down the calculations (e.g. how many beds / GFA etc). In addition, the developer must realign the existing sewer (located under the Mater) to around the development site along Diprose Street. This must be undertaken fully at the developer's expense.
- b) Upon completion of the sewer realignment, the existing sewer located beneath the Mater must be transferred to private ownership (owned by the Mater Hospital). At this time, the Mater Hospital will be responsible for any further maintenance and/or upgrade.

### Reason

In accordance with Performance Outcome 2 of the Works Code.

### Timing

- a) The amended report is to be provided with the first subsequent development application, and
- b) Details to be provided with the first subsequent development application.

|  |
|--|
| <b>Concurrence Agency Conditions – Department of Local Government and Infrastructure Planning (SARA)</b> |
|--|

Pursuant to Section 285 and Section 287 of the *Sustainable Planning Act 2009*, the Department of Local Government and Infrastructure Planning in conjunction with the State Assessment and Referral Agency advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use subject to the conditions, as attached. The applicant must comply with the Department of Transport and Main Roads conditions as outlined in the Department's correspondence dated 13 January 2017.

### Council Decision

**It was MOVED by the Mayor, Councillor J Hill, SECONDED by Councillor M Soars:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

### Business Services

#### 18 Finance Services - Treasury Report - December 2016

##### Executive Summary

Attached to the report to council is an internal treasury report to provide council with information on cash, investments and debt. The report informs council on its monthly cash position.

##### Officer's Recommendation

That council note the treasury report for December 2016 and the information contained therein.

## **Council Decision**

**It was MOVED by Councillor V Coombe, SECONDED by Councillor A Greaney:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## **19 Finance - Budget Variance Report - Whole of Council - December 2016**

### **Executive Summary**

On behalf of the Chief Executive Officer, the Chief Financial Officer will present and discuss the Budget Variance Report for the whole of council for December 2016, pursuant to section 204 of the *Local Government Regulation 2012*.

### **Officer's Recommendation**

That council note the financial report for December 2016 and budget variance explanations, pursuant to section 204 of the *Local Government Regulation 2012*.

## **Council Decision**

**It was MOVED by Councillor K Rehbein, SECONDED by Councillor R Cook:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## **Confidential Items**

**It was MOVED by Councillor M Molachino, SECONDED by Councillor K Rehbein:**

"that council RESOLVE to close the meeting in accordance with Section 275 (e) of the *Local Government Regulation 2012* which permits the meeting to be closed to the public for business relating to the following:

Section 275 (e) contracts proposed to be made by it". (Items 20, 21, 22, 23 and 24)

**CARRIED UNANIMOUSLY**

The council discussed the items.

**It was MOVED by Councillor M Molachino, SECONDED by Councillor K Rehbein:**

"that council RESOLVE to open the meeting."

**CARRIED UNANIMOUSLY**

## **20 Townsville Water and Waste - TCW00151 Supply and Construction of PS 7A to PS 7B Rising Main Duplication**

### **Executive Summary**

Pump Station (PS) 7A on Howitt St and its catchment sewers have capacity issues and there have been multiple overflows over the last few years. Council has planned for the upgrade of the catchment sewer, the pump station and duplication of the rising main from PS 7A to PS 7B. In 2016/17 financial year, council is proceeding with the supply and installation of the PS 7A to PS 7B Rising Main Duplication Works.

The rising main duplication works comprise supply and installation of approximately 2 kilometre long DN315 Polyethylene (PE) pipe along Isley Street and Mitchell Street and provision of air relief valves, scour arrangement and inline valves. The construction tender was advertised on 29 October 2016. Three (3) tender submissions were received and all of them were conforming tenders. This report provides an analysis and evaluation of the tenders received for this project.

### **Officer's Recommendation**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award Tender TCW00151 Supply and Construction of PS 7A to PS 7B Rising Main Duplication to CES Civil Pty Ltd for the lump sum price of \$1,220,864 excluding GST.
3. That council approve the carryover of up to \$370,000 from the 2016/17 financial year budget to the 2017/18 financial year budget.
4. That council delegate authority to the Chief Executive Officer or her delegate to award variations up to the approved project budget provided that the variations are for the completion of the works under the contract.

### **Council Decision**

**It was MOVED by Councillor P Jacob, SECONDED by Councillor M Soars:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## **21 Townsville Water and Waste - Tender TCW00167 - Jensen Development Water Main**

### **Executive Summary**

Townsville City Council has identified the need for an additional water main to meet the increased water demand for new development in Jensen.

The additional water main will commence from the existing Mt Spec Pipeline offtake (adjacent to Veales Road), and continue to the intersection of Jensen Road and Texas Road. This water main will integrate into a longer term water supply strategy for the Jensen area which will see the area serviced by its own reservoir.

This report provides an analysis and evaluation of the tenders received for this project.



### **Officer's Recommendation**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award Tender TCW00167 Jensen Development Water Main to NQ Excavations Pty Ltd for the lump sum price of \$1,164,694.00 excluding GST, with a time of completion of 16 weeks.
3. That council delegate authority to the Chief Executive Officer, or their delegate, to award variations up to the approved project budget provided the variations are for the completion of the work under the contract.

### **Council Decision**

**It was MOVED by Councillor P Jacob, SECONDED by Councillor M Molachino:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## **22 Townsville Water and Waste - TCW00175 Supply and construction of Dommert St Water Main Replacement**

### **Executive Summary**

Tender TCW00175 Supply and Construction of Dommert Street Water Main Replacement works constitutes stage one (1) of four (4) stages to replace the existing water main along Hynch Street and Stuart Drive that services the suburbs of Wulguru, Stuart, Fairfield Waters, Cluden and Oonoonba. This water main has suffered a number of failures and is difficult to maintain due to its location within the Department of Transport and Main Roads corridor.

The Dommert Street Water Main Replacement works involves the installation of a 250mm diameter water main from the intersection of Royal Street and Powell Street, along Royal Street and Stuart Drive, then crossing Stuart Drive to connect to an existing water main at the intersection of Dommert Street and Stuart Drive.

The construction tender was advertised on 29 October 2016 and closed on 23 November 2016. Three (3) tender submissions were received and all of them were conforming tenders. This report provides an analysis and evaluation of the tenders received for this project.

### **Officer's Recommendation**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award Tender TCW00175 Supply and Construction of Dommert Street Water Main Replacement works to NQ Excavations Pty Ltd for the lump sum price of \$420,180.00 excluding GST.
3. That council delegate authority to the Chief Executive Officer, or their delegate, to award variations up to the approved project budget provided the variations are for the completion of the work under the contract.

## Council Decision

It was **MOVED** by Councillor P Jacob, **SECONDED** by Councillor M Soars:

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

In accordance with section 173 of the *Local Government Act 2009*, Councillors A Greaney, C Doyle, K Rehbein, M Ryder, M Molachino, M Soars, P Jacob, R Cook, V Coombe and J Hill declared a conflict of interest in regards to item 23.

**(a) the name of the councillors who have the conflict of interest:**

Councillors A Greaney, C Doyle, K Rehbein, M Ryder, M Molachino, M Soars, P Jacob, R Cook, V Coombe and J Hill.

**(b) the nature of the conflict of interest as described by the Councillors:**

BMD donated to Team Hill election campaign.

**(c) how the Councillors dealt with the conflict of interest:**

The Councillors determined they could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered their position and were of the opinion that they could participate in debate and vote on the matter in the public interest.

**(d) if the Councillors voted on the issue – how the Councillors voted:**

The Councillors voted as per the officer's recommendation.

**(e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**

The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

## **23 Engineering Services - TCW00190 - William Angliss Drive, Mervyn Crossman Intersection Upgrade**

### **Executive Summary**

Council is undertaking the second stage of the upgrade of William Angliss Drive by constructing a reconfigured and enlarged roundabout at the intersection of William Angliss Drive and Mervyn Crossman Drive. The reconfiguration is to alleviate the congestion occurring during School drop off and collection times by three (3) schools in the area, as well as improve traffic flows for users of the nearby sporting facilities.

This report provides detailed information on council's evaluation and recommendation on awarding tender TCW00190 - William Angliss Drive / Mervyn Crossman Intersection Upgrade.

### **Officer's Recommendation**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award tender TCW00190 - William Angliss Drive – Mervyn Crossman Intersection Upgrade - to BMD Urban for their offer of \$2,795,504.23 ex GST.
3. That council delegate authority to the Chief Executive Officer, or their delegate, to award variations up to the approved project budget provided that the variations are for the completion of the work under contract.

## Council Decision

It was **MOVED** by Councillor V Coombe, **SECONDED** by Councillor K Rehbein:

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## **24 Assets and Fleet - TCW00198 - Townsville Entertainment and Convention Centre - Supply and Installation of Replacement Curtain Winches**

### Executive Summary

The Townsville Entertainment and Convention Centre (TECC) located at Entertainment Road, Townsville was constructed in 1993 and is operated under a joint venture arrangement between Townsville City Council and The Ville Resort – Casino owners.

The Centre is capable of hosting a wide variety of events including concerts, sporting events, gala dinners, conferences or exhibitions with the auditorium curtaining system able to be configured into numerous modes to suit capacities from 500 to 5,200 persons.

Required building repairs and refurbishment work packages are now underway under a Community Development Grants Programme funding arrangement.

It is recommended to upgrade the curtain hoist system as part of the overall TECC Maintenance Project to:

- » Replace equipment near the end of their serviceable life,
- » Reduce ongoing repairs and maintenance,
- » Improve work place health and safety for TECC and building occupants, and
- » Meet the operational requirements of TECC with flexibility to host a variety of events.

Tenders were called for the contract, which is a lump sum contract for supply and installation under the *General Conditions of Contract AS4000 - 1997*. The tender closed at 10am on 4 January 2017. Five (5) tender submissions were received.

The report provides an analysis and evaluation of the tenders received for the project.

### Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award Tender TCW00198 Townsville Entertainment and Convention Centre, Supply and Installation of Replacement Curtain Winches to Sarjack Pty Ltd trading as Wild Gravity Pty for the lump sum price of \$245,467.18 (excluding GST).
3. That council delegate authority to the Chief Executive Officer, or their delegate, to award variations up to the approved project budget provided the variations are for the completion of the work under the contract.

## Council Decision

It was **MOVED** by Councillor A Greaney, **SECONDED** by Councillor M Ryder:

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

**General Business**

**(i) Local Government Association of Queensland's Water and Sewerage Advisory Group**

Councillor P Jacob advised that he has been selected to be on the Local Government Association of Queensland's Water and Sewerage Advisory Group with the first meeting scheduled for 12 February 2017.

**Close of Meeting**

The Chair, Mayor Councillor J Hill, declared the meeting closed at 3.45 pm.

**CONFIRMED this TWENTY-EIGHTH day of FEBRUARY 2017**

**MAYOR**

**CHIEF EXECUTIVE OFFICER**